

Georgia Department of Natural Resources

205 Butler Street, S.E., East Floyd Tower, Atlanta, Georgia 30334

Joe D. Tanner, Commissioner
Harold F. Reheis, Director
Environmental Protection Division

March 16, 1992

Mr. S.D. Holder
Manager, Environmental Affairs
Georgia Power Company
P. O. Box 4545
Atlanta, Georgia 30302

Re: NPDES Permit No. GA 0035564
Administrative Order EPD-WQ-1855
Plant Scherer, Monroe County

Dear Mr. Holder:

Pursuant to the Georgia Water Quality Control Act, as amended, the Federal Clean Water Act, as amended, and the Rules and Regulations promulgated thereunder, we have issued the attached National Pollutant Discharge Elimination System (NPDES) permit for the specified wastewater treatment facility. In addition to the permit, we are issuing Administrative Order EPD-WQ-1855 which provides a schedule for compliance by April 1, 1994 with the new facility discharge limitations to Berry Creek.

In regard to your comments of March 13, 1992 concerning the proposed permit and order, we have changed paragraph 1. on page 2. of the order as per your request. The remainder of the permit and order have not been changed from that proposed March 6, 1992.

Please be advised that on and after the effective dates indicated in the attached NPDES permit and administrative order, the permittee must comply with all the terms, conditions and limitations of both the permit and the order.

Sincerely,



Harold F. Reheis
Director

HFR:bk
Attachment

cc: ~~Mr. James R. Patrick~~ (w/attachment)
U. S. Environmental Protection Agency

**ENVIRONMENTAL PROTECTION DIVISION
DEPARTMENT OF NATURAL RESOURCES
STATE OF GEORGIA**

IN RE:	Georgia Power Company	#
	Plant Scherer	# Order No. EPD-WQ-1855
	Juliette, Monroe County, Georgia	#

ADMINISTRATIVE ORDER

WHEREAS, Georgia Power Company (hereinafter the "Company") operates the Plant Scherer electricity generating facility (hereinafter the "Facility") in Juliette, Monroe County, Georgia; and

WHEREAS, on April 6, 1987 the Director (hereinafter the "Director") of the Georgia Environmental Protection Division (hereinafter the "Division") issued a National Pollutant Discharge Elimination System Permit No. GA0035564 (hereinafter the "NPDES Permit") to the Company, with an expiration of March 16, 1992 which authorized the Company to discharge pollutants from the Facility in accordance with the conditions and effluent limitations contained therein; and

WHEREAS, on April 23, 1990 and with revisions January 23, 1991, the Division promulgated new rules and regulations (hereinafter the "new rules") for control of toxic pollutants; and

WHEREAS, the new rules require more stringent control of selenium and arsenic than required in the NPDES Permit issued April 6, 1987; and

WHEREAS, on September 13, 1991 with supplemental data of February 4 and February 24, 1992, the Company submitted an application for reissuance of the NPDES Permit; and

WHEREAS, the application data submitted by the Company indicates that facility effluent concentrations of selenium and arsenic will be in excess of those levels required by the new rules and the requirements of the proposed reissuance of the NPDES Permit; and

WHEREAS, by letter of February 4, 1992 to the Division, the Company has indicated that compliance with the new rules and the NPDES Permit proposed for reissuance will require at least 24 months for installation of an alternate outfall; and

WHEREAS, the Director has considered the Company's statement of February 4, 1992 and has determined that a schedule of compliance is appropriate; and

WHEREAS, O.C.G.A. § 12-5-23(b)(12) of the Georgia Water Quality Control Act, as amended (hereinafter the "State Act") authorizes the Director to issue an Order directing a wastewater discharger to secure within the time specified therein such operating results as are reasonable and practicable of attainment toward the control, abatement, and prevention of pollution of waters of the State and the preservation of the necessary quality for the reasonable use thereof;

NOW, THEREFORE, the Director hereby ORDERS the Company to comply with the following:

- 1. The Company shall complete preliminary design of the alternate outfall by no later than August 28, 1992.**
- 2. The Company shall complete the final design of the alternate outfall by no later than April 23, 1993.**

3. The Company shall complete construction of the alternate outfall and begin operation of the alternate outfall no later than April 1, 1994.
4. The Company shall provide a report to the Division summarizing progress with the requirements of this Order at the end of every calendar quarter beginning with the second quarter 1992 and ending with the first quarter 1994.
5. The Company shall confirm completion of the requirements of paragraphs 1, 2, and 3 of this Order by written report to the Division within 14 days after completion of each requirement.
6. Compliance by the Company with the daily maximum limitations for arsenic and selenium of page 2 of the NPDES permit, as reissued, is hereby waived until April 1, 1994.

The Company is hereby informed of the right to be represented by legal counsel; to petition for a hearing on the ORDER within thirty (30) days from the date of issuance of same; and that such order shall become final unless a petition for hearing is filed within thirty (30) days from the date of issuance of same.

The original of any petition for hearing, response or other pleading in this matter shall be filed with the Senior Administrative Law Judge for the Board of Natural Resources, to wit:

The Honorable Mark Dickerson
Administrative Law Judge
Department of Natural Resources
Suite 1254 East, 205 Butler Street, S.E.
Atlanta, Georgia 30334

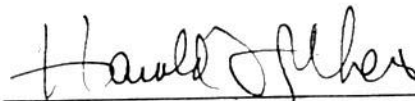
One copy of any such petition for hearing, response or other pleading in this matter shall be filed with the Director of EPD, to wit:

Harold F. Reheis, Director
Environmental Protection Division
Department of Natural Resources
Suite 1152 East, 205 Butler Street, S.E.
Atlanta, Georgia 30334

and a separate copy served on his counsel of record, to wit:

The Honorable Robert S. Bomar
Senior Assistant Attorney General
Room 108, State Judicial Building
Atlanta, Georgia 30334

It is so ORDERED this 16th day of March, 1992.

A handwritten signature in dark ink, appearing to read "Harold F. Reheis", written over a horizontal line.

Harold F. Reheis
Director